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ROBERT W. J. USHER PATENT AGENT 1133 BROADWAY, #1515 NEW YORK, NY 10010			EXAMINER DASGUPTA, SOUMYA	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/706,866

Applicant(s)

MCLENNAN ET AL.

Examiner

Soumya Dasgupta

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 13 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This is the final action based on applicant's response filed on 9/13/2007 with respect to 10/706,866 application filed on 11/12/2003. Claims 1-35, as originally filed, are currently pending and have been considered below. Claims 1, 17, and 34 are independent claims.

***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority based on applications filed in UK on 10/09/2003. It is noted, however, that applicant has not filed a certified copy of the 0323625.4 and 0323623.9 applications as required by 35 U.S.C. 119(b).

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***Applicant's Response***

In the applicant's response dated 9/13/07, the applicant amended claims 1, 7, 16-17, 23, and 32-34 and argued against all objections and the rejections.

The objection previously set forth on claim 33 was misnumbered is withdrawn because the applicant amended the claims.

The rejection set forth under 35 USC ~ 112 (2<sup>nd</sup> paragraph) on claims 16 and 32 are withdrawn because the applicant amended the claims.

Currently, claims 1-35 are pending. Claims 1-10 are subject to examination.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2, 7, 17-18, & 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Harkins et al (US 5657461 – from hereon will be known as Harkins).

- With respect to claim 1, Harkins teaches a graphical user interface for use in preparation of an automatically generated communication in response to an event requiring generation of a communication, (Figs 2,4-5,7-11).

**said communication being generated from a response template which contains data definitions and conditional criteria and wherein conditional criterion in the response template automatically activates alternative selections of text and data according to whether the criterion is met and whether the criterion is not met;** (Col 10, lines 58 – col 11, line 20 → Harkins discloses a system that has “communication being generated from a response template which contains data definitions and conditional criteria” in that the user initially selects the default priority of communication. Then, the system then automatically determines the appropriate communication with respect to the priority and the publication type being worked on.)

said graphical user interface comprising: means for presenting an image of a list of at least one selectable operational option; means for accepting selection of at least one operational option from the list; and means for presenting an image of said at least one operational option selected as a chosen option list (Figs 2,4-5,7-11).

**said list of said at least one selectable operational option comprises a list of a plurality of different media by which the automatically generated communication can be transmitted;** (Fig 11 → Harkins discloses a list of “at least one selectable operational option comprises a list of a plurality of different media” in that there is list of types of communications that can be selected and prioritized by the user.)

**and wherein said list of chosen options comprises at least one chosen media for transmission of the automatically generated communication** (Col 10, lines 58 – col 11, line 20 → Harkins discloses a system that has “one chosen media for transmission of the automatically generated communication” in that the user initially selects the default priority of communication. Then, the system then automatically determines the appropriate communication with respect to the priority and the publication type being worked on.)

**and wherein content of the automatically generated communication is automatically adjusted to reflect characteristics of the chosen media.** (Col 10, lines 58 – col 11, line 20 → Harkins discloses a system that has “automatically generated communication is automatically adjusted to reflect characteristics of the chosen media” in that the user initially selects the default priority of communication. Then, the system then automatically determines the appropriate communication with respect to the priority and the publication type being worked on.)

- With respect to claim 2, Harkins teaches a graphical user interface further comprising: means for selecting a chosen option from the chosen option list; and means for accepting return of a selected chosen option to the list of selectable operational options (Figs 2,4-5, 7-11).

- With respect to claim 17, Harkins teaches a method for preparing an automatically generated communication in response to an event requiring generation of a communication, the method comprising the steps of: presenting an image of a list of at least one selectable operational option; selecting at least one operational option from the list; accepting said at least one operational option selected; presenting an image of said at least one operational option selected as a chosen option list; subsequently generating an automatically generated communication which implements said at least one chosen option listed (Figs 2,4-5,7-11).

**wherein the step of generating a communication comprises reading a response template which contains data definitions and conditional criteria and wherein conditional criterion in the response template automatically activates alternative selections of text and data according to whether the criterion is met and whether the criterion is not met;** (Fig 11 → Harkins discloses a list of “at least one selectable operational option comprises a list of a plurality of different media” in that there is list of types of communications that can be selected and prioritized by the user.)

**said list of said at least one selectable operational option comprises a list of a plurality of different media by which the automatically generated communication can be transmitted;** (Col 10, lines 58 – col 11, line 2 → Harkins discloses a system that has “one selectable option comprises a list of a plurality of different media” in that the user initially selects the default priority of communication. Then, the system then automatically determines the appropriate communication with respect to the priority and the publication type being worked on.)

**and wherein said list of chosen options comprises at least one chosen media for transmission of the automatically generated communication and wherein content of the automatically generated communication is automatically adjusted to reflect characteristics of the chosen media.** (Col

10, lines 58 – col 11, line 20 → Harkins discloses a system that has “automatically generated communication is automatically adjusted to reflect characteristics of the chosen media” in that the user initially selects the default priority of communication. Then, the system then automatically determines the appropriate communication with respect to the priority and the publication type being worked on.)

- With respect to claim 18, Harkins teaches a method comprising the steps of selecting a chosen option from the chosen option list; and accepting return of the chosen option selected to said list of at least one selectable operational option (Figs 2,4-5, 7-11).
- With respect to claim 7, Harkins teaches a graphical user interface wherein said graphical user interface comprises means for accepting selection of said at least one chosen media and means for directing the automatically generated communication for transmission on said at least one chosen media selected (Fig. 11).



- With respect to claim 33, Harkins teaches a graphical user interface further comprising means to implement the chosen options in subsequent generation of the automatically generated communication (Fig. 4-5, 7-11).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being taught over Harkins et al (US 5657461 – from hereon will be known as Harkins) in view of Celebiler et al (US 6195094 - from hereon will be known as Celebiler).

With respect to claim 3, Harkins teaches a graphical user interface wherein said means for presenting an image of a list of at least one selectable operational option and said means for presenting an image of said at least one operational option as a chosen option list (Fig 12A).

Harkins fails to teach the latter together comprise a split screen, said split screen having a first portion and a second portion and being operative to display said list of said at least one selectable operational option in said first portion and to display said chosen option list in said second portion thereof; a method comprising the steps of providing said first portion of said split screen on a first side thereof and providing said second portion of said split screen on a second side thereof; a method wherein said split screen is one of a plurality of split screens.

Celebiler teaches a split screen, said split screen having a first portion and a second portion and being operative to display said list of said at least one selectable operational option in said first portion and to display said chosen option list in said second portion thereof; a method comprising the steps of providing said first portion of said split screen on a first side thereof and providing said second portion of said split screen on a second side thereof; a method wherein said split screen is one of a plurality of split screens for the purpose of efficiently using the screen space required to indicate to the user and displaying computer applications in multiple content screens to users by splitting a window of information into several panes (Fig. 3 and Fig. 4).

It would have been obvious to one of ordinary skill in the art to modify Harkins to utilize a split screen to display a list with selectable operations as taught by Celebiler because it allows the user to use a split screen to display a list with operational functions.

Harkins and Celebiler are analogous because they both teach GUIs with lists and operational options.

With respect to claim 4, Harkins teach a graphical user interface.

Harkins fails to teach wherein said split screen has a first side and a second side and said first portion of said split screen is on said first side and wherein said second portion of said split screen is on said second side.

Celebiler teaches wherein said split screen has a first side and a second side and said first portion of said split screen is on said first side and wherein said second portion of said split screen is on said second side for the purpose of efficiently using the screen space required to indicate to the user and displaying computer applications in multiple content screens to users by splitting a window of information into several panes. (Fig 4 and Fig 5).

It would have been obvious to one of ordinary skill in the art to modify Harkins to utilize a split screen split screen that has a first side and a second side and said first portion of said split screen is on said first side and wherein said second portion of said split screen is on said second side as taught by Celebiler because split screens enable simultaneous viewing of multiple applications (Fig 4 and Fig 5).

Harkins and Celebiler are analogous because they both teach GUIs with lists and operational options.

With respect to claim 5, Harkens teach a graphical user interface.

Harkens fail to teach wherein said split screen is one of a plurality of split screens.

Celebiler teach a graphical user interface wherein said split screen is one of a plurality of split screens for the purpose of efficiently using the screen space required to indicate to the user and displaying computer applications in multiple content screens to users by splitting a window of information into several panes (Fig 4).

It would have been obvious to one of ordinary skill in the art to modify Harkins to utilize a split screen wherein said split screen is one of a plurality of split screens as taught by Celebiler because split screens enable simultaneous viewing of multiple applications (Fig 4).

Harkins and Celebiler are analogous because they both teach GUIs with lists and operational options.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being taught over Harkins et al in view of Makinen et al (US 6826443 - from hereon will be known as Makinen).

Harkens fail to teach wherein said list of said at least one selectable operational option is presented as a tree structure.

Makinen teach wherein said list of said at least one selectable operational option is presented as a tree structure for the purpose allowing a hierarchical arrangement of files, folders, and/or directories in a computer (col 4, line 1-7).

It would have been obvious to one of ordinary skill in the art to modify Harkens into a list of said at least one selectable operational option is presented as a tree structure as taught by Makinen because it enables a user to search a tree structure for the location of a particular object within the tree structure (Fig 5 and col 3, line 50-60).

Harkens and Makinen are analogous because they both teach GUIs with lists and operational options.

11. Claims 19-23 are rejected under 35 U.S.C. 103(a) as being taught over Harkins et al in view of Makinen et al (US 6826443 - from hereon will be known as Makinen) and in further view of Celebiler et al (US 6195094 - from hereon will be known as Celebiler).

Harkins teaches the invention as discussed above. Harkins also teaches the limitations of claim 23; with respect to the claim, Harkins teaches a method comprising the steps of: accepting selection of said at least one chosen medium; and subsequently directing the automatically generated communication for transmission on said at least one chosen medium (Fig. 11).

With respect to claim 22, Harkens fails to teach a method comprising the step of presenting said list of at said least one selectable operational option as a tree structure.

Makinen teaches a method comprising the step of presenting said list of at said least one selectable operational option as a tree structure for the purpose allowing a hierarchical arrangement of files, folders, and/or directories in a computer (col 4, line 1-7).

It would have been obvious to one of ordinary skill in the art to modify Harkens into a list of said at least one selectable operational option is presented as a tree

structure as taught by Makinen because it enables a user to search a tree structure for the location of a particular object within the tree structure (Fig 5 and col 3, line 50-60).

Harkens and Makinen are analogous because they both teach GUIs with lists and operational options.

With respect to claim 19-21, Harkins and Makinen fail to teach a method comprising the steps of providing a split screen with a first portion and a second portion; presenting, simultaneously, an image of a list of said least one selectable operational option in the first portion thereof and an image of said chosen option list in the second portion thereof.

Celebiler teaches a method comprising the steps of providing a split screen with a first portion and a second portion; presenting, simultaneously, an image of a list of said least one selectable operational option in the first portion thereof and an image of said chosen option list in the second portion thereof for the purpose of efficiently using the screen space required to indicate to the user and displaying computer applications in multiple content screens to users by splitting a window of information into several panes (Fig 4).

It would have been obvious to one of ordinary skill in the art to modify Harkins to utilize a split screen to display a list with selectable operations as taught by Celebiler because it allows the user to use a split screen to display a list with operational functions.

Harkins and Celebiler are analogous because they both teach GUIs with lists and operational options.

12. Claims 12-16 are rejected under 35 U.S.C. 103(a) as being taught over Harkins et al in view of AltaVista Babel Fish (from hereon will be known as Babel).

Harkins teaches the invention as discussed above. Harkins also teaches the limitations of claims 12-15; with respect to claims, Harkins teaches a graphical user interface wherein said at least one text items comprises items for use in at least one selectable media; a graphical user interface wherein said at least one fixed item comprises at least one selectable place holder for use with at least one media; a graphical user interface wherein said at least one fixed item comprises at least one selectable place holder for use in fixing the position of items with at least one media; a graphical user interface wherein said at least one fixed item comprises at least one selectable item for use with at least one media (Fig. 4-5, 7-11).

With respect to claim 16, Harkins teaches a graphical user interface comprising means for testing a specified automatically generated communication by presenting different criteria for generation of an automatically generated communication, and means for altering a specification of the automatically generated communication until an user approved automatically generated communications are obtained (Fig. 4-5, 7-11).

Harkens fails to teach a graphical user interface comprising conversion means for accepting a criterion definition for each of said at least one criteria and for converting the criterion definition into plain language for display; and a graphical user interface wherein said at least one text item comprises items in a plurality of selectable languages; and a graphical user interface wherein said at least one text item comprises items for use in at least one selectable idioms.

Babel teaches a graphical user interface comprising conversion means for accepting a criterion definition for each of said at least one criteria and for converting the criterion definition into plain language for display; and a graphical user interface wherein said at least one text item comprises items in a plurality of selectable languages; and a graphical user interface wherein said at least one text item comprises items for use in at least one selectable idioms for the purpose of text translation and conversion into languages and idioms

([http://www.altavista.com/help/babelfish/babel\\_help](http://www.altavista.com/help/babelfish/babel_help)). Note that the examiner interprets idioms to be defined as a language dialect (<http://babelfish.altavista.com/>).

It would have been obvious to one of ordinary skill in the art to modify Harkens with a language conversion as taught by Babel because it creates a GUI with a language translator.

Harkens and Babel are analogous because they both teach GUIs with texts.

13. Claims 8-11 and 24-32 are rejected under 35 U.S.C. 103(a) as being taught over Harkins et al in view of Makinen (US 6826443 - from hereon will be known as Makinen)



and in further view of Celebiler et al (US 6195094 - from hereon will be known as Celebiler) and in further view of AltaVista Babel Fish (from hereon will be known as Babel).

Harkins teaches the invention as discussed above. Harkins also teaches the limitations of claims 8 and 24; with respect to the claim, Harkins teaches a method wherein said list of said at least one selectable operational option comprises at least one of: at least one criterion to be fulfilled to cause the generation of the automatically generated communication; at least one criterion to be fulfilled to select a text item; at least one text item to be selected; and at least one fixed item to be selected (Fig. 11).

Harkins also teaches the limitations of claims 28-32; with respect to the claims, Harkins teaches a method wherein said at least one fixed item comprises at least one selectable place holder for at least one media; said at least one fixed item comprises at least one selectable place holder for fixing the position of items with at least one media; wherein said at least one fixed item comprises at least one selectable item for at least one media; comprising the steps of: testing a specified automatically generated communication by presenting different criteria for generation of an automatically generated communication thereto; and altering the specification of the automatically generated communication until a satisfactory automatically generated communication is obtained (Fig. 4-5, 7-11).

With respect to claims 8-11 and 24-27, Harkens and Makinen both fail to teach a method comprising the steps of: accepting a criterion definition for each of said at least one criterion and converting the criterion definition into plain language for display; a

method wherein said at least one text item comprises items in a plurality of selectable language; a method wherein said at least one text item comprises items for at least one selectable idiom; wherein said at least one text item comprises items for at least one selectable idiom.

Babel teaches a method comprising the steps of: accepting a criterion definition for each of said at least one criterion and converting the criterion definition into plain language for display; a method wherein said at least one text item comprises items in a plurality of selectable language; a method wherein said at least one text item comprises items for at least one selectable idiom for the purpose of text translation and conversion into languages and idioms; wherein said at least one text item comprises items for at least one selectable idiom. Note that the examiner interprets idioms to be defined as a language dialect (<http://babelfish.altavista.com/>).

It would have been obvious to one of ordinary skill in the art to modify Harkins with a language translator as taught by Babel because it creates a GUI with a language translator.

Harkens and Babel are analogous because they both teach GUI's with texts.

14. Claims 34-35 are rejected under 35 U.S.C. 103(a) as being taught over Harkins et al in view of AltaVista Babel Fish (from hereon will be known as Babel) and in further view of Celebiler et al (US 6195094) and in further view of Makinen et al (US 6826443).

Harkins teaches the invention as discussed above. Harkins also teaches the limitations of claims 34-35; with respect to the claim 35, Harkins teaches a graphical

user interface means for testing a specified automatically generated communication by presenting different criteria for generation of an automatically generated communication, and means for altering a specification of the automatically generated communication until a satisfactory automatically generated communications are obtained (Fig. 4-5, 7-11).

Harkins also teaches the limitations of claim 34; with respect to the claim, Harkins teaches a graphical user interface for use in preparation of an automatically generated communication in response to an event requiring generation of a communication, said graphical user interface comprising: means for presenting an image of a list of at least one selectable operational option comprising at least one of: at least one criteria to be fulfilled to cause generation of the automatically generated communication; at least one criteria to be fulfilled to select a text item; and at least one fixed item to be selected comprising at least one selectable place holder for use with at least one medium, at least one selectable place holder for fixing the position of items with at least one medium and at least one selectable item for use with at least one medium; means for accepting selection of an operational option for use; means for presenting an image of said at least one operational option selected as a chosen option list; means for selecting a chosen option on the chosen option list; said list of said at least one selectable operational option comprises a list of a plurality of different media by which the automatically generated communication can be transmitted; said list of chosen options comprises at least one chosen media for transmission of the automatically generated communication; said graphical user interface comprises

means for accepting selection of said at least one chosen media and means for directing the automatically generated communication for transmission on said at least one chosen media selected (Fig. 4-5, 7-11).

**and wherein content of the automatically generated communication is automatically adjusted to reflect characteristics of the chosen media.** (Col 10, lines 58 – col 11, line 20 → Harkins discloses a system that has “automatically generated communication is automatically adjusted to reflect characteristics of the chosen media” in that the user initially selects the default priority of communication. Then, the system then automatically determines the appropriate communication with respect to the priority and the publication type being worked on.)

Harkins fails to teach at least one text item comprising items in a plurality of selectable languages, items for use in at least one selectable idiom and items for use in at least one selectable medium; conversion means for accepting a criterion definition for each of said at least one criteria and for converting the criterion definition into plain language for display; conversion means for accepting a criterion definition for each of said at least one criteria and for converting the criterion definition into plain language for display.

Babel teaches at least one text item comprising items in a plurality of selectable languages, items for use in at least one selectable idiom and items for use in at least one selectable medium; conversion means for accepting a criterion definition for each of said at least one criteria and for converting the criterion definition into plain language for display; conversion means for accepting a criterion definition for each of said at least

one criteria and for converting the criterion definition into plain language for display for the purpose of text translation and conversion into languages and idioms (<http://babelfish.altavista.com/>).

It would have been obvious to one of ordinary skill in the art to modify Harkens with a language translator as taught by Babel because it creates a GUI with a language translator.

Harkens and Babel are analogous because they both teach GUI's with texts.

Harkins and Babel both fail to teach a means for accepting return of a selected chosen option to the list of selectable operational options, wherein: said means for presenting an image of a list of at least one selectable operational option and said means for presenting an image of said at least one operational option as a chosen option list together comprise a screen split into a first side and a second side and being operative to display said list of said at least one selectable operational option as a tree structure in said first side and to display said chosen option list in said second side thereof.

Celebiler et al (US 6195094) and Makinen (US 6826443) teach a means for accepting return of a selected chosen option to the list of selectable operational options, wherein: said means for presenting an image of a list of at least one selectable operational option and said means for presenting an image of said at least one operational option as a chosen option list together comprise a screen split into a first side and a second side (Celebiler: Fig 4 ) and being operative to display said list of said at least one selectable operational option as a tree structure in said first side and to

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display said chosen option list in said second side thereof for the purpose allowing a hierarchical arrangement of files, folders, and/or directories in a computer (Makinen: col 4, line 1-7 and Fig 5).

It would have been obvious to one of ordinary skill in the art to modify Harkins to utilize a split screen to display a list with selectable operations as taught by Celebiler because split screens enable simultaneous viewing of multiple applications and it would have been obvious to one of ordinary skill in the art to modify Harkens into a list of said at least one selectable operational option is presented as a tree structure as taught by Makinen because it enables a user to search a tree structure for the location of a particular object within the tree structure (Fig 5 and col 3, line 50-60).

Harkins and Celebiler are analogous because they both teach GUIs with lists and operational options. Harkens and Makinen are analogous because they both teach GUIs with lists and operational options.

### ***Response to Arguments***

#### **Rejection Under 35 USC ~ 102(b) (Claims 1-2, 7, 17-18, & 33):**

1. Applicant's arguments filed for claims 1-2, 7, 17-19, and 33 have been fully considered but they are not persuasive. The applicant states that Harkins discloses a fixed channel and does not disclose or suggest that the content of the automatically generated document can be adjusted automatically to reflect the characteristics of any particular channel.

The examiner disagrees.

In Col 10, line 58 – col 11, line 20, Harkins states that the user selects the initial default priority channel as a means of communication. Then the system will prioritize the communication channel and means with respect to the type of application. If the user wants to change the communication channel priority, then the user reselects the priority in which the application will be outputted.

**Rejection Under 35 USC ~ 103(a) (Claims 3-5, 8-16, 19-23, 24-32, and 34-35):**

The applicant argues that (1) Harkins does not disclose the applicant's invention as stated above in "*Response to Arguments: Rejection Under 35 USC ~ 102(b) (Claims 1-2, 7, 17-18, & 33,*" and (ii) Celebiler, Makinen, and Babel can not be combined with Harkinen to show *prima facie* obviousness.

The examiner disagrees.

(i) Harkins discloses the applicant's invention as stated above in "*Response to Arguments: Rejection Under 35 USC ~ 102(b) (Claims 1-2, 7, 17-18, & 33.*"

(ii) Celebiler discloses a splitter bar, and Markinen discloses a tree rendition of information. Both a splitter bar and a tree rendition is discloses the appearance and the

framework of the GUI as presented by the applicant. Also, Babel discloses language conversion. The language conversion is performed in a GUI, which is similar to the applicant's invention. Therefore, *prima facie* obviousness is established and the disclosed references can be combined with Harkins.

### **Conclusion**

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Soumya Dasgupta whose telephone number is 571-272-7432. The examiner can normally be reached on M-Th 9am-7pm, F 9am-1pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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SD

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